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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,478	08/07/2003	Fang Liu	3897-0109P	1081

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EXAMINER

WONG, STEVEN B

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/635,478

Applicant(s)

LIU ET AL.

Examiner

Steven Wong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5-27-2005</u> . | 6) <input type="checkbox"/> Other: _____ |

Specification

1. The disclosure is objected to because of the following informalities: on page 7, line 11, the sentence is incomplete.

Appropriate correction is required.

Claim Objections

2. Claims 15 and 16 are objected to because of the following informalities: in claims 15 and 16, the language "the element is using to create" is inapt. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-13 and 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corbett (1,409,082) in view of Nystad et al. (2,957,251). Regarding claims 1 and 17, Corbett discloses a spherical globe comprising a plurality of interconnectable elements (a-e). The globe is intended to simulate a map of the world. Note Figures 3-5 showing the elements with larger outer surfaces and smaller inner surfaces. Note Figure 6 showing the elements defining longitude lines on the globe-like body. Note also column 1, lines 29-34 stating that the elements may be further divided into smaller pieces.

Nystad et al. reveals a globe puzzle comprising a plurality of pieces that run along the longitudinal and latitudinal lines of a globe. It would have been obvious to one of ordinary skill

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in the art to cut the pieces (e) of Corbett along latitudinal lines in order to have the puzzle simulate both latitudinal and longitudinal lines of a globe map.

Regarding claims 2 and 18, note column 1, lines 45-50 of Corbett stating that the globe is made from wood and is to represent a map of the world and may be covered with one or more pictures. It would have been obvious to one of ordinary skill in the art to print a picture on the map in order to simulate a map of the world.

Regarding claims 3-9, 19 and 20, the particular dividing of the longitude and latitude lines and the formulas for the longitude and latitude lines have been determined to be obvious given the teachings of Corbett in view of Nystad et al. and the lack of a showing of the criticality of the spacing or edging by the demonstration of a new and unexpected result obtained therefrom.

Regarding claims 10 and 12, Corbett includes a male/female connector between the elements for connection thereof.

Regarding claims 11 and 13, it would have been obvious to one of ordinary skill in the art to replace the male/female connectors with adhesive material or magnetic elements as the examiner takes Official Notice that these other connectors are well known in the art and to replace the male/female connectors with adhesive material or magnetic elements would have been within the level of one having ordinary skill in the art.

Regarding claims 15 and 16, insofar as the claims may be understood, it would have been obvious to one of ordinary skill in the art to use the toy of Corbett as modified by Nystad et al. as a book end in order to hold books in place or to place the toy of Corbett as modified by Nystad et al. on a game table in order to allow it to be viewed by a user.

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Regarding claims 21 and 23, the smaller interface of the elements of Corbett are free of contact with any underlying support structure.

Regarding claims 22 and 24, the elements of Corbett when modified by Nystad et al. present four face boundaries that contact other face boundaries.

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Corbett (1,409,082) in view of Nystad et al. (2,957,251) and Miller (4,494,935). Regarding claim 14, note column 1, lines 45-50 of Corbett stating that other devices may cover the globe.

Miller discloses that it is well known in the art of globe puzzles to provide additional layers to the puzzle elements in order to simulate various other terrain or conditions for the globe. Note Figure 3, elements 11 and 11a. It would have been obvious to one of ordinary skill in the art to provide the puzzle of Corbett as modified by Nystad et al. with additional layers in order to simulate various other terrain of the world.

Response to Arguments

6. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Wong whose telephone number is 571-272-4416. The examiner can normally be reached on Monday through Friday 7am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Steven Wong
Primary Examiner
Art Unit 3711

SBW
June 21, 2005